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Prepared by: Dottie Jones

Approved by: _____
County Attorney

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE REQUESTING THE MEMBERS OF THE TENNESSEE GENERAL ASSEMBLY TO OPPOSE PENDING LEGISLATION REGARDING DUTIES AND TERM LIMIT PROHIBITIONS FOR COUNTY CONSTITUTIONAL AND CHARTER OFFICERS. SPONSORED BY COMMISSIONER STEVE MULROY

WHEREAS, Legislation regarding duties and term limits for constitutional and charter officers has been introduced in the Tennessee General Assembly; and

WHEREAS, A charter form of county government provides citizens of the chartering county with the power to effectively operate their government without seeking changes through the state legislature; and

WHEREAS, The Shelby County Attorney’s Office has recommended that the Shelby County Charter be amended because the offices of the Sheriff, Trustee, Register, County Clerk, and Assessor are not specifically created in the Charter and the duties and functions of those officers are not assigned under the Charter; and

WHEREAS, The Shelby County Board of Commissioners has formed an Ad Hoc Committee on Shelby County Charter Amendments to review the Charter, seek public input and formulate proposed charter amendments to be voted on by citizens in a referendum; and

WHEREAS, over the last 8 months the Shelby County Board of Commissioners held numerous public hearings on its charter, received and considered voluminous public input through letters, email, and other forms of communication; and

WHEREAS, the Shelby County Board of Commissioners has held numerous meetings to consider charter amendments and deliberate on them; and

WHEREAS, Public input into proposed charter amendments has strongly favored the creation of term limits for all county elected officials; and

WHEREAS, Shelby County should have the ability to consider and adopt structural improvements to its charter form of government adapted to the unique needs of Shelby County, as contemplated by the Tennessee Constitution, the Supreme Court of Tennessee, and prior enactments of the Tennessee General Assembly, without the state imposing one-size-fits-all restrictions on the county’s deliberative process which is out of touch with local public opinion; and

WHEREAS, The Shelby County Board of Commissioners opposes any legislation that would negatively impact the proposed charter amendments or limit future options regarding charter amendment proposals.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE That this Board, after careful consideration, hereby requests the members of the Tennessee General Assembly to oppose legislation amending Tennessee Code Annotated §5-1-210 relative to constitutional county officers which restricts the ability of counties to amend their charters.

BE IT FURTHER RESOLVED, that the Shelby County Legislative Delegation and members of the Tennessee General Assembly be made aware of this request by copy of this resolution.

BE IT FURTHER RESOLVED, That this resolution, when transmitted to the General Assembly upon passage, shall include herein a record of the vote of each individual County Commissioner.

A C Wharton, Mayor

Date: _____

ATTEST:

ADOPTED: _____